

2011 DRAFTING REQUEST

Bill

Received: **10/13/2011**

Received By: **emueller**

Wanted: **As time permits**

Companion to LRB:

For: **Evan Wynn (608) 266-9650**

By/Representing: **Brandon VerVelde**

May Contact:

Drafter: **emueller**

Subject: **Transportation - highways**
Transportation - traffic laws

Addl. Drafters:

Extra Copies: **ARG**

Submit via email: **YES**

Requester's email: **Rep.wynn@legis.wi.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Allow municipality to designate no passing zone within municipal boundaries.

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/P1	emueller 11/08/2011	kfollett 12/02/2011	phenry 12/05/2011	_____	sbasford 12/05/2011		
/1	emueller 12/21/2011	kfollett 12/21/2011	jmurphy 12/23/2011	_____	sbasford 12/23/2011	ggodwin 02/08/2012	

FE Sent For:

None

<END>

2011 DRAFTING REQUEST

Bill

Received: **10/13/2011**

Received By: **emueller**

Wanted: **As time permits**

Companion to LRB:

For: **Evan Wynn (608) 266-9650**

By/Representing: **Brandon VerVelde**

May Contact:

Drafter: **emueller**

Subject: **Transportation - highways**
Transportation - traffic laws

Addl. Drafters:

Extra Copies: **ARG**

Submit via email: **YES**

Requester's email: **Rep.wynn@legis.wi.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Allow municipality to designate no passing zone within municipal boundaries.

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/P1	emueller 11/08/2011	kfollett 12/02/2011	phenry 12/05/2011	_____	sbasford 12/05/2011		
/1	emueller 12/21/2011	kfollett 12/21/2011	jmurphy 12/23/2011	_____	sbasford 12/23/2011		

FE Sent For:

<END>

2011 DRAFTING REQUEST

Bill

Received: 10/13/2011

Received By: emueller

Wanted: As time permits

Companion to LRB:

For: Evan Wynn (608) 266-9650

By/Representing: Brandon VerVelde

May Contact:

Drafter: emueller

Subject: Transportation - highways
Transportation - traffic laws

Addl. Drafters:

Extra Copies: ARG

Submit via email: YES

Requester's email: Rep.wynn@legis.wi.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Allow municipality to designate no passing zone within municipal boundaries.

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/P1	emueller 11/08/2011	kfollett 12/02/2011	phenry 12/05/2011	_____	sbasford 12/05/2011		
/1	emueller 12/21/11	11/15/11	12/21/11	12/23/11	12/23/11		
FE Sent For:							

12/21/11 12/23/11 <END>

2011 DRAFTING REQUEST

Bill

Received: 10/13/2011

Received By: **emueller**

Wanted: **As time permits**

Companion to LRB:

For: **Evan Wynn (608) 266-9650**

By/Representing: **Brandon VerVelde**

May Contact:

Drafter: **emueller**

Subject: **Transportation - highways**
Transportation - traffic laws

Addl. Drafters:

Extra Copies: **ARG**

Submit via email: **YES**

Requester's email: **Rep.wynn@legis.wi.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Allow municipality to designate no passing zone within municipal boundaries.

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1/2	emueller	1 P11/gf	12/				
1/01	Eum 11/8/11	12/2	1/5				
			ph				

FE Sent For:

<END>

Brandon VerVeide Q Rep. Wynn

→ state hwy?

- village wants to designate no passing zone on a highway that passes through village
- DOT refused - based on MUTCD?
- want to give munis authority to designate no passing zone w/in boundaries

- OK to talk w/ DOT re resituation

- Paul N. Isen

- believes situation involves portion of SH 213 through Oxfordville → village
- denied b/c DOT doesn't believe no passing zone is warranted on safety basis - don't want to designate no-passing zones where not reqd. to maintain driver respect for traffic signals/signage



D Note
State of Wisconsin
2011 - 2012 LEGISLATURE

other



LRB-3189/P1

EVM:...

kyf

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

In 11/8/11

FMR

gen

1

AN ACT ...; relating to: no-passing zones on state trunk highways within the boundaries of a municipality.

2

Analysis by the Legislative Reference Bureau

Under current law, the Department of Transportation (DOT), county highway committees, and local authorities may, in accordance with standards and procedures adopted by DOT, designate no-passing zones on highways under their respective jurisdictions and may mark the zones with signs and pavement markings. Under this bill, a city, village, or town may also designate no-passing zones on state trunk highways within the city, village, or town boundary without regard to any standards or procedures adopted by DOT and may mark the zones with signs.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3

SECTION 1. 349.12 of the statutes is renumbered 349.12 (1).

4

SECTION 2. 349.12 (2) of the statutes is created to read:

5

349.12 (2) Notwithstanding ss. 84.02 (4) (e) and 349.065, a municipality may

6

determine, in regard to state trunk highways within the municipal boundary, where

7

overtaking and passing or driving to the left of the center of the roadway would be

1 especially hazardous and may, by signs approved by the department, indicate the
2 beginning and end of the zones.

3 (END)

D Note

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3189/P1dn
EVM:...

Date

ATTN: Brandon VerVelde

Please review the attached draft carefully to ensure that it is consistent with your intent. The following are several issues you may wish to consider in your review of this draft:

1. I believe the situation giving rise to this draft involves a portion of a state trunk highway travelling through a village. Because this would involve a highway not under the jurisdiction of the municipality, s. 349.12, stats., probably does not apply. This draft adds a new subsection to s. 349.12, stats., allowing a municipality to designate a no-passing zone on a state trunk highway within the municipal boundary. Please let me know if this does not adequately address your concerns.

2. I was not sure whether you would want to provide a municipality with authority to mark the pavement of a state trunk highway. This draft, therefore, allows a municipality to mark the no-passing zone on the state trunk highway with signs, but not pavement markings. Is this okay?

3. This draft provides no-passing zone designation authority to cities, villages, and towns. Please let me know if this is not what you intend.

4. As a caution, I believe that DOT is required to conform to the federal standards contained in the Manual on Uniform Traffic Control Devices. Under this draft, a city, village, or town could place DOT out of compliance. You may wish to contact DOT for more information on the potential for non-compliance and any consequences that may attach.

5. In accordance with your instructions, this draft provides a general rule applicable to all municipalities. Another option for remedying the specific situation giving rise to this draft would be to create an exception to s. 349.12, stats., to allow a specific municipality to designate a no-passing zone on a specific highway or to specifically designate a no-passing zone in the statutes. Please let me know if you would like me to prepare a draft using either of these approaches.

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

Eric V. Mueller
Legislative Attorney
Phone: (608) 261-7032
E-mail: eric.mueller@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3189/P1dn

EVM:kjf:ph

December 5, 2011

ATTN: Brandon VerVelde

Please review the attached draft carefully to ensure that it is consistent with your intent. The following are several issues you may wish to consider in your review of this draft:

1. I believe the situation giving rise to this draft involves a portion of a state trunk highway travelling through a village. Because this would involve a highway not under the jurisdiction of the municipality, s. 349.12, stats., probably does not apply. This draft adds a new subsection to s. 349.12, stats., allowing a municipality to designate a no-passing zone on a state trunk highway within the municipal boundary. Please let me know if this does not adequately address your concerns.
2. I was not sure whether you would want to provide a municipality with authority to mark the pavement of a state trunk highway. This draft, therefore, allows a municipality to mark the no-passing zone on the state trunk highway with signs, but not pavement markings. Is this okay?
3. This draft provides no-passing zone designation authority to cities, villages, and towns. Please let me know if this is not what you intend.
4. As a caution, I believe that DOT is required to conform to the federal standards contained in the Manual on Uniform Traffic Control Devices. Under this draft, a city, village, or town could place DOT out of compliance. You may wish to contact DOT for more information on the potential for noncompliance and any consequences that may attach.
5. In accordance with your instructions, this draft provides a general rule applicable to all municipalities. Another option for remedying the specific situation giving rise to this draft would be to create an exception to s. 349.12, stats., to allow a specific municipality to designate a no-passing zone on a specific highway or to specifically designate a no-passing zone in the statutes. Please let me know if you would like me to prepare a draft using either of these approaches.

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

Eric V. Mueller
Legislative Attorney
Phone: (608) 261-7032
E-mail: eric.mueller@legis.wisconsin.gov



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-3189/P1
EVM:kjf:ph

11

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

RMR

In 12/21/11

Seen

Reger

- 1 AN ACT *to renumber* 349.12; and *to create* 349.12 (2) of the statutes; **relating**
2 **to:** no-passing zones on state trunk highways within the boundaries of a
3 municipality.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Transportation (DOT), county highway committees, and local authorities may, in accordance with standards and procedures adopted by DOT, designate no-passing zones on highways under their respective jurisdictions and may mark the zones with signs and pavement markings. Under this bill, a city, village, or town may also designate no-passing zones on state trunk highways within the city, village, or town boundary without regard to any standards or procedures adopted by DOT and may mark the zones with signs.

and pavement markings

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 4 SECTION 1. 349.12 of the statutes is renumbered 349.12 (1).
5 SECTION 2. 349.12 (2) of the statutes is created to read:
6 349.12 (2) Notwithstanding ss. 84.02 (4) (e) and 349.065, a municipality may
7 determine, in regard to state trunk highways within the municipal boundary, where

- 1 overtaking and passing or driving to the left of the center of the roadway would be
- 2 especially hazardous and may, by signs approved by the department, indicate the
- 3 beginning and end of the zones.

4 (END)

or by a yellow ^{unbroken} line ^{on} the pavement
on the right-hand side of and adjacent to the center
line ^{or} ^{lane} a lane line of a roadway

Mueller, Eric

From: VerVelde, Brandon
Sent: Tuesday, December 13, 2011 1:32 PM
To: Mueller, Eric
Subject: RE: LRB 3189

Just to clarify, the bill will be ready to be a /1 at that time.

Thanks,

Brandon

From: VerVelde, Brandon
Sent: Monday, December 12, 2011 3:25 PM
To: Mueller, Eric
Subject: LRB 3189

Eric,

We received the preliminary draft and the accompanying notes.

On notes 1, 3, 4, and 5 no action is needed.

On note 2, Rep. Wynn would like the draft to specifically allow for a municipality to physically mark the pavement according to their wishes.

Thanks,

Brandon

--

Brandon P. VerVelde

Office of Rep. Evan Wynn
Follow Evan on [Facebook](#) and [Twitter](#)!

(608) 266-9650
Brandon.vervelde@legis.wi.gov

Godwin, Gigi

From: VerVelde, Brandon
Sent: Wednesday, February 08, 2012 2:56 PM
To: LRB.Legal
Subject: Draft Review: LRB 11-3189/1 Topic: Allow municipality to designate no passing zone within municipal boundaries.

Please Jacket LRB 11-3189/1 for the ASSEMBLY.